United States Department of the Interior

BUREAU OF LAND MANAGEMENT
GRANTS PASS INTERAGENCY OFFICE
2164 NE SPALDING AVENUE
GRANTS PASS, OREGON 97526

EAST FORK ILLINOIS LANDSCAPE MANAGEMENT PROJECT
FINDING OF NO SIGNIFICANT IMPACT #2
Finding of No Significant Impact for the East Fork Illinois Timber Sale
EA # OR117-06-04

I. INTRODUCTION

The BLM's interdisciplinary planning team has designed the East Fork Illinois Landscape Management Project (LMP) based on current resource conditions in the project area, and to meet the objectives and direction of the Medford District Resource Management Plan (RMP) and the Northwest Forest Plan (NWFP). The proposals presented and evaluated in the East Fork Illinois LMP Environmental Assessment (EA) reflect what the planning team believes to be the best balance of resource conditions, resource potential and competing management objectives.

As stated in the Environmental Assessment (EA p. 1), the actions proposed and analyzed in the EA were developed to be consistent with, and/or tier to the following:

- *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS 1994 and ROD 1994);
- *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement* and *Record of Decision* (EIS 1994 and RMP/ROD 1995);
- *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS 2004 and ROD 2004);
- *Final Supplemental Environmental Impact Statement and Record of Decision and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and* Guidelines (FSEIS 2000 and ROD 2001)
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998*) and tiered to the *Northwest Area Noxious Weed Control Program* (EIS 1985);
- ROD *Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests Within the Range of the Northern Spotted Owl*, and its Final SEIS for the Clarification of Language in the 1994 Record of Decision for the Northwest Forest Plan amending wording about the Aquatic Conservation Strategy (2004).

The EA also tiered to the ROD Final SEIS for the Clarification of Language in the 1994 Record of Decision for the Northwest Forest Plan amending wording about the Aquatic Conservation Strategy (2004). On March 30, 2007, the District Court ruled adverse to the US Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA-Fisheries) and USFS and BLM (Agencies) in *Pacific Coast Fed. of Fishermen's Assn. et al v.*

Natl. Marine Fisheries Service, et al and American Forest Resource Council, Civ. No. 04-1299RSM (W.D. Wash)((*PCFFA IV*).

As a result of PCFFA IV, the BLM reviewed the East Fork Illinois LMP for consistency with the 9 ACS objectives as originally described in the 1994 Northwest Forest Plan. The ACS review (December 2007 ACS Consistency Review (located in the project record)) found the actions to be consistent.

Previously, in 2006, the District Court (Judge Pechman) had invalidated the agencies' 2004 RODs eliminating Survey and Manage due to NEPA violations. Following the District Court's 2006 ruling, parties to the litigation had entered into a stipulation, exempting certain categories of activities from the Survey and Manage standard (hereinafter "Pechman exemptions").

The project may proceed even if the District Court sets aside or otherwise enjoins use of the 2007 Survey and Manage Record of Decision. This is because the East Fork Illinois LMP meets the provisions of the last valid Record of Decision, specifically the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (not including subsequent Annual Species Reviews).

- Surveys have been conducted as per designated survey protocols for Survey and Manage (S&M) species; and
- species found in treatment areas have been buffered as per S&M Standards and Guidelines;
- as per S&M recommendations in updated survey and management recommendations; or
- units are exempt from S&M guidelines as per survey protocols (e.g., activities in nonhabitat, activities are nonhabitat disturbing; outside the range of the species);
- or meets one of the Pechman exemptions

Judge Pechman's Order from October 11, 2006 directs: "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities on projects to which the 2004 ROD applied unless such activities are in compliance with the 2001 ROD (as the 2001 ROD was amended or modified as of March 21, 2004), except that this order will not apply to:

a. Thinning projects in stands younger than 80 years old;
b. Replacing culverts on roads that are in use and part of the road system, and removing culverts if the road is temporary or to be decommissioned;
c. Riparian and stream improvement projects where the riparian work is riparian planting, obtaining material for placing in-stream, and road or trail decommissioning; and where the stream improvement work is the placement large wood, channel and floodplain reconstruction, or removal of channel diversions; and
d. The portions of project involving hazardous fuel treatments where prescribed fire is applied. Any portion of a hazardous fuel treatment project involving commercial logging will remain subject to the survey and management requirements except for thinning of stands younger than 80 years old under subparagraph a. of this paragraph."

Following the Court's December 17, 2009 ruling, the Pechman exemptions are still in place.

Judge Coughenour deferred issuing a remedy in his December 17, 2009 order until further proceedings, and did not enjoin the BLM from proceeding with projects. I have reviewed the East Fork Illinois LMP Project in consideration of both the December 17, 2009 and October 11, 2006 Orders. The East Fork Illinois LMP project is consistent with court orders relating to the Survey and Manage mitigation measure of the Northwest Forest Plan, as incorporated into the Medford District Resource Management Plan. This decision entails thinning in stands that have been surveyed as per the 2001 Survey and Manage ROD; thinning in stands less than 80 years old; stream and riparian restoration projects; and hazardous fuel treatments. Therefore, this decision is consistent with the 2001 ROD without Annual Species Reviews, or meets the Pechman Exemptions, A-D (October 11, 2006 Order).

II. BACKGROUND

Planning for this project began in 1999 with a planned Forest Service / BLM joint EIS as the Upper Illinois Landscape Management Project. In 2001, a letter was sent to the public to provide an update on the progress of the EIS. The letter announced that comments and interests focused on the East Fork Illinois portion of the project area; therefore, the EIS would focus on the analysis of that area while the analysis of the BLM lands in the West Fork Illinois watershed would proceed separately as an Environmental Assessment (EA).

Following the Biscuit Fire in 2002, the Forest Service directed their planning efforts to the burn area and away from the East Fork Illinois watershed. Subsequently in 2005, the BLM decided to proceed with its own planning for the East Fork Illinois Landscape Management Project on BLM administered lands. A letter was sent to the public in September 2005 updating neighbors and interested citizens on the status of the project, announcing the decision to analyze the project on BLM land through preparation of an EA, and inviting them to contact the BLM with information, comments and concerns. The scoping letter was sent to residents and landowners near or adjacent to BLM parcels within the planning area, to federal, state, and county agencies, and to private organizations and individuals that requested information concerning projects of this type. BLM sent a follow up letter in November 2005 invited the public to an open house. Information gathered at the open house as well as personal discussions and comment letters provided public input to BLM for consideration in the EA. Numerous meetings, field trips and phone conversations were held with community members until release of the EA in 2006. All public input was considered by the planning and interdisciplinary teams in developing the proposals and in preparation of the EA.

From the beginning, the scope of the project was intended to address the full range of conditions and opportunities that were found, and to design a multi-faceted project that addressed the range of resources. The result is a project that includes a broad suite of recreation, road, wildlife habitat, forest stand, and fuel hazard reduction activities. It provides commercial and non-commercial outputs as directed by the Bureau's Strategic Plan and the RMP.

The East Fork Illinois LMP EA was available for public review from July 7 through August 7, 2006. It incorporated analysis of the proposed actions, addressed issues raised in public scoping comments, and referenced new information.

Several interested parties nominated the Waldo-Takilma Area as an area of Critical Environmental Concern (ACEC). The nominated area is located primarily in the East Fork Illinois watershed with a portion occurring in the West Fork Illinois watershed. Resource specialists from the Grants Pass Resource Area developed a preliminary assessment of the proposed ACEC during development of the West Fork Illinois project and determined that part of the proposed area met the relevance and importance criteria for such a designation for geology and soil chemistry, and associated botanical values, and for cultural resources. The ACEC proposal will need to be evaluated during the RMP planning process prior to an official designation. In the interim, the potential ACEC will be managed to ensure protection of the importance and relevant resource values identified in the ACEC evaluation. During the Western Oregon Plan Revision process, the Waldo-Takilma ACEC was designated; however with withdrawal of the Record of Decision in June 2009, the ACEC reverted back to its status as meeting the relevance and importance criteria, but is not designated as an ACEC. Therefore, this potential ACEC will receive interim management to ensure protection of the importance and relevant resource values identified in the ACEC evaluation (EA pp. 16-17).

During the comment period, many comments were received that clearly show the value placed on this area by many members of local communities as well as people from other areas. Values and concerns identified by commenters include (but are by no means limited to) risk of fire hazard, species diversity, riparian areas, both support and disapproval of commercial harvest, recreational opportunities, healthy fisheries, and wildlife habitat to name a few. For a more detailed summary of public comments, see Appendix A, Public Comment Summary and Response.

In designing the East Fork Illinois LMP to address current resource conditions, the BLM interdisciplinary team was aware of and sensitive to the range of views and values of the public while complying with a variety of resource management mandates. As a result, the East Fork Illinois project is an integrated and multi-faceted plan that balances these factors and objectives.

III. CONSULTATION AND COORDINATION

Pursuant to the Endangered Species Act, BLM completed consultation with the US Fish and Wildlife Service. The East Fork Illinois project was covered under the 2006 BO and LOC (FWS Log #1-15-06-F-0162 and Log #1-15-06-I-0165) for actions that may affect Northern Spotted Owls. However, since then the BO and LOC were pulled by the USFWS due to pending litigation and the BLM has reinitiated consultation on the NLAA portions of the East Fork Illinois project. All actions authorized by this decision are Not Likely to Adversely Affect for the Northern Spotted Owl and this Decision is covered under two LOCs from the USFWS (Tails # 13420-2007-I-0231 and Tails #1342-2009-I-0093).

Critical Habitat for Cook's Lomatium (*Lomatium cookii*)

After the EA was released the U.S. Fish and Wildlife Service proposed Critical Habitat for the Federally Endangered plant Cook's desert parsley (*Lomatium cookii*) (Federal register, Vol 74, No. 143, Tuesday July 28, 2009, pages 37314-37392).

In accordance with section 7 of the ESA, the BLM analyzed project activities for their potential

to affect to the following plant species; the endangered Gentner's fritillary (*Fritillaria* gentneri) endangered Cook's lomatium (*Lomatium cookii)*, endangered large-flowered woolly meadowfoam (*Limnanthes floccosa ssp. grandiflora*), and McDonald's rockcress (*Arabis macdonaldiana*). In August 2008, BLM prepared a BA to evaluate impacts to listed plant species In September 2008 the USFWS gave BLM a letter of concurrence (LOC) (Tails # 13420-2008-I-0136). The BLM is implementing all applicable PDCs in accordance with the mandatory terms and conditions as specified in the LOC. The Service stated that the proposed action will not jeopardize the continued existence of ESA listed species.

Proposed Critical Habitat for the Federally Endangered plant *Lomatium cookii* is located within the East Fork Project Boundary. Approximately 419 acres of the total project area are within Critical Habitat Unit (CHU) IV12, but there are no proposed treatment units within the CHU. The project would not adversely modify or destruct the critical habitat because proposed treatments are not located within the CHU. The CHU ruling was published in the Federal Register, Vol 74, No. 143, Tuesday July 28, 2009, pages 37314-37392.

In accordance with section 7 of the ESA, the BLM analyzed project activities for their potential to affect Southern Oregon/Northern California (SONC) coho salmon or their designated critical habitat (CH). The BLM also analyzed these activities for their potential to affect Essential Fish Habitat (EFH), in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Noncommercial activities (e.g., fuel hazard reduction, young stand thinning, and road maintenance) that are not being proposed as part of a timber sale were included under the consultation previously completed for programmatic activities (NMFS, Northwest Region, August 8, 2001, as amended October 18, 2002 and May 21, 2003). Commercial harvest and associated activities that are not included in the programmatic consultation were determined to have no effect on SONC coho and their CH and do not adversely affect EFH. Consultation is not required for these activities under section 7 of the ESA.

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The project will not adversely impact any sites of cultural or historical significance. The State Historic Preservation Office (SHPO) was informed of the BLM's finding in accordance with 36 CFR 800.5(b).

The Confederated Tribes of the Siletz and the Grande Ronde were notified of this project during scoping and the EA's public comment period. Josephine County Commissioners and the Josephine County forestry department were also contacted. No responses were received.

IV. FINDING OF NO SIGNIFICANT IMPACT (FONSI)

A. Plan Conformance

Based on the information in the East Fork Illinois Landscape Management Project's EA, in the record, and from the letters and comments received from the public about the project, I conclude that this decision is in conformance with the 1995 Medford District Resource Management Plan (RMP) and subsequent plan amendments which include:

1. Record of Decision and Resource Management Plan Amendment for Management of Port-Orford-Cedar in Southwest Oregon, Coos Bay, Medford, and Roseburg Districts, May, 2004.
2. Medford District Noxious Weed Environmental Assessment (1998)

The decision is also consistent with the following:

Final Supplemental EIS on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl (1994)

- ROD for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and its attachment A entitled the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (NWFP) (1994)
- Final SEIS for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2000), and the ROD and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001)

The East Fork Illinois LMP is consistent with the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Rey, et al.*, No. 08-1067 (W.D. Wash.) (Coughenour, J.), granting Plaintiffs' motion for partial summary judgment and finding a variety of NEPA violations in the BLM and USFS 2007 Record of Decision eliminating the Survey and Manage mitigation measure.

Judge Coughenour deferred issuing a remedy in his December 17, 2009 order until further proceedings, and did not enjoin the BLM from proceeding with projects.

The project may proceed even if the District Court sets aside or otherwise enjoins use of the 2007 Survey and Manage Record of Decision. This is because the East Fork Illinois LMP meets the provisions of the last valid Record of Decision, specifically the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (not including subsequent Annual Species Reviews).

The ACS Consistency Review (EA p. 31, ACS consistency review December 2007 (in project record)) found that the project is in compliance with the Aquatic Conservation Strategy as originally developed under the Northwest Forest Plan.

This decision is also consistent with the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

This decision will not have any adverse impacts to energy development, production, supply and/or distribution (per Executive Order 13212).

B. Finding of No Significant Impact

Based on information in the EA and comments received from the public, it is my determination the decision (attached) will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of effects addressed by the Medford District RMP and the Northwest Forest Plan. Thus, the East Fork LMP does not constitute a major federal action having a significant effect on the human environment and an EIS is not necessary and will not be prepared.

Following the release of the EA, the USFWS withdrew the biological opinion covering the actions included in the EA. Therefore, to be consistent with ESA this decision includes actions that were either no effect to spotted owls or covered under a Not Likely to adversely affect LOC from the USFWS. Therefore, the actions included in this decision will result in reduced impacts from those analyzed and disclosed in the EA and a Finding of No Significant Impact is appropriate. See Consultation and Coordination section above for details.

This conclusion is based on my consideration of the CEQ's criteria for significance (40 CFR §1508.27), regarding context and intensity of the impacts described in the EA and on my understanding of the project. As noted above, the analysis of effects has been completed within the context of the Medford District RMP and it is consistent with that plan and the scope of effects anticipated from that plan. The analysis of effects has also occurred in the context of multiple spatial and temporal scales as appropriate for different resources and types of impacts.

I have considered the intensity of the impacts anticipated from this East Fork LMP decision relative to each of the ten areas suggested by the CEQ. With regard to each:

1) Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects.

None of the individual or cumulative effects are significant. There is a potential for minor, short term impacts to riparian and stream habitats, and hydrologic function as a result of the proposed road maintenance activities. Any impacts will be negligible at the sixth field level. Site productivity and hydrology will not be affected by fuel hazard reduction activities (EA p. 28). There is potential for soil compaction on up to 53 acres in the project area because of timber harvest and biomass removal (EA p. 31), but loss of long term productivity is not expected (EA pp. 29, 31). Approximately half of the expected compaction is from biomass utilization, which

uses smaller equipment than timber harvest; therefore, the level of compaction is expected to be less than disclosed. Minimal erosion is expected from project activities and from road maintenance (EA p. 30). The compacted acres represent a very small decrease in infiltration across the watershed (0.2% of the Lower EF Illinois subwatershed). Isolated short term sedimentation from road maintenance activities will become immeasurable in downstream stream reaches (i.e., impacts will be imperceptible at the sixth field level). A long term reduction in sedimentation and altered flow routing will be expected following road drainage improvement and decommissioning (EA p. 30).

The BLM minimized or eliminated potential adverse effects to threatened SONC coho and critical habitat by designing project activities to either avoid critical habitat or reduce the likelihood that it will be affected. Thinning in riparian reserves will take place outside of no-treatment zones along stream channels, and will retain trees with old growth characteristics and those that lean toward the stream (EA pp. 13-14). In riparian reserves, trees will be directionally felled toward approved skid roads, and skid roads will remain at least 75 feet away from stream channels. Site restoration treatments will be applied after yarding is completed. Existing stable roads and landings in riparian reserves will be reused to minimize new road and landing construction (EA pp. 17-18). All temporary spur roads will be constructed and obliterated in the dry season, winterized, and replanted after obliteration. Dust from log hauling will be abated as necessary (EA p. 21). Prescribed fires will be allowed to back into riparian reserve no-treatment areas but no ignition will take place within 50 feet of streams (EA p. 21).

While the EA did note that proposed actions would result in downgrading of suitable spotted owl habitat and associated effects on late-successional associated species and connectivity, (EA pp. 57-59, 80-81), there will be no downgrading of suitable spotted owl habitat from the actions in this decision. There are some actions in the decision that will treat and maintain suitable habitat, potentially reducing the canopy cover within the stand, but continuing to provide nesting, roosting or foraging habitat because a minimum 60% canopy cover will be retained, as well as other key habitat features such as snags and coarse woody material (EA p. 59). Treat and maintain activities are addressed and allowed due to appropriate consultation with the U.S. Fish and Wildlife Service (See section III, Consultation and Coordination above).

Potential effects to botanical species and habitat may include temporary drying of moist microsites and potential for spread of noxious weeds from vehicles, road maintenance and temporary construction, tractor harvest, trails and landing construction; however, PDFs should reduce the risk of this occurring and known noxious weed sites will be treated under the Medford District's Noxious Weed EA (EA pp. 45-47).

Beneficial effects of forest thinning include increased stand vigor; accelerated development of late-successional forest conditions in riparian areas; increased structural diversity, canopy, and large woody debris recruitment, with improved stream complexity and water quality (EA pp. 51-52); and reduction in hazardous fuel loading and moderation of extreme fire behavior (EA pp. 88-91). Existing trails along historic mining ditches will be maintained and developed to provide a recreational benefit. Long and short term reduction in sediment delivery to streams is expected from road drainage improvement (EA p. 31).

There is a potential for minor, short term impacts from fuel treatments and timber harvest to botanical species from shrub and canopy reduction if canopy openings reduce or dry moist sites. This short term degradation may occur on up to 600 acres, which will begin to recover within two years (EA p. 46). Site productivity and hydrology will not be negatively affected by fuel hazard reduction activities (EA p. 29-30). There is a potential for minor, short term impacts to riparian areas from handpile and underburning activities. Implementation of PDF's, integral to all actions, will minimize impacts. Long term benefits include reduced wildland fire intensities within the riparian zones (EA p. 51). Alternative 2 will have the greatest effect on reducing fire intensities, hazard and risk. These reductions in combination with forest thinning will increase initial attack effectiveness and public and firefighter safety. Fuels will be reduced at the highest level of treatment (potential treatment of 1,807 acres). The highest level of canopy base height increase in both ladder fuels and treatment of the overstory canopy will result in the overall greatest reduction of fire behavior.

Recreation improvements will benefit the local and regional public by providing several miles of developed trail system for hiking and interpretive opportunities. Trailhead improvements will provide safer access to the trails (EA pp. 94-96).

Off highway vehicle use may increase due to the removal of understory vegetation from fuels and harvest work. Blocking temporary spurs and fire lines after treatment will reduce OHV use, and monitoring will determine area closure and law enforcement needs (EA pp. 93-96).

Visual resource management objectives will be met, as proposed prescriptions will implement project design features (EA pp. 23-24) to blend the treatments with the characteristic landscape, which is already varied by human alterations, as well as a variety of vegetation types (EA p. 95).

2) The degree of the impact on public health or safety. The project has not been identified as having the potential to significantly and adversely impact public health or safety. Fuel hazard reduction will benefit public health and safety, particularly in CARs and WUIs. Implementation of Alternative 2 will have the highest amount of smoke produced from prescribed burning compared to Alternative 3 but will result in reduced smoke emissions from wildfire (EA pp. 85, 89, 90).

3) Unique characteristics of the geographic area. Resource values and unique values in the project area have been identified (potential RNA and nominated ACEC) and appropriate management activities are proposed that will maintain or enhance the values that make those areas unique (EA pp. 96-97).

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial effects. The effects of this project are similar to those of many other projects that are implemented within the scope of the RMP and Northwest Forest Plan. There is a continual full range of debate, findings and opinions about the potential effects of such land management activities as evidenced by public comments received regarding this project. It underscores a level of uncertainty that exists in assessing the changes that may occur as a result of such projects. Any uncertainty in actual effects is acknowledged by the EISs to which the East Fork Illinois LMP EA is tiered. The Ninth Circuit has held that a project is "highly controversial" if

there is a "'substantial dispute [about] the size, nature, or effect of the major Federal action rather than the existence of opposition to a use.'" Blue Mountains Biodiversity Project v. Blackwood, 161 F.3d 1208, 1212 (9th Cir. 1998) (quoting Sierra Club v. U.S. Forest Service, 843 F.2d 1190, 1193 (9th Cir. 1988)).

5) The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks. The analysis does not show that this action will involve any unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The action and the decision will not set any precedents for future actions with significant effects. It is one of many similar projects designed to implement the RMP and NWFP.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. No significant cumulative impacts have been identified. The project is consistent with the actions and impacts anticipated in the RMP. There are no cumulative effects on soil or hydrology expected to be detectable beyond the 7th field level; therefore there are no cumulative effects within the EF Illinois 6th field sub-watershed, Illinois River 5th field watershed or to the Illinois Basin (EA p.32). There are no expected decreases in productivity (EA p. 41). As no cumulative effects were identified in the analysis of impacts to soil and water, no cumulative effects to fish and aquatic habitats will result from the proposed action in the project area, 6th, or 5th field watershed scales (EA p. 52,53). Reductions in natural fuels in combination with forest thinning, will increase initial attack effectiveness and firefighter safety (EA p. 91). Wildland firefighter and public safety will increase in treated areas and direct strategies and tactics could be used to control fire, resulting in fewer acres burned and less threat to private property within the watershed and the region. Smoke produced from prescribed fires is expected to be short term and not contribute cumulatively to any air quality impacts (EA p. 90). There will be no project level effects to botanical species because all known sites are protected from project activities; therefore, there are no cumulative effects from this project for botany. Project activities will not preclude owls occupying viable territories and continuing to reproduce in the watershed. Under this decision, there will be no downgrading or removal of suitable habitat. Even at the maximum harvest proposed by any of the action alternatives, loss of habitat is well within the scope anticipated and analyzed for in the RMP and the NWFP (EA p. 81). Because of the relatively small foot-print of the project, wildlife buffers and the dispersed distribution of proposed treatments across the watershed, no substantial negative effects are anticipated to any Bureau Sensitive or former Survey and Manage wildlife species (EA p.81, 82). There are no expected cumulative effects to cultural resources, economics, recreation, and visual resources (EA p. 96), or to socioeconomics within the region (Erratum pp. 3-7). Collectively the BLM projects propose 3,786 acres of commercial thinning/special forest products/density reduction, representing 0.5% of the Illinois River subbasin (EA p. 24). The East Fork Illinois LMP is consistent with the actions and impacts anticipated in the RMP and NWFP.

8) The degree to which the action may adversely affect National Historic Register listed or eligible to be listed sites or may cause loss or destruction of significant scientific, cultural or historical resources. The project area contains several sites that are listed or eligible for listing

on the National Register of Historic Places. These sites and others will be protected from project activities through project design features (EA pp. 21-23). Most, if not all sites will benefit from reduced fire hazard and some sites will be enhanced through interpretive development (EA p. 15-16).

9) The degree to which the action may adversely affect ESA listed species or critical habitat. Project design features will reduce potential adverse impacts on ESA listed species. BLM completed ESA consultation with the USFWS with the determination that the actions proposed in this decision are Not Likely to Adversely Affect Northern Spotted Owls or any other T&E species. Effects do not exceed those authorized under consultation with the regulatory agencies (see Consultation section). The project is consistent with mandatory terms and conditions set forth by the regulatory agencies. The project area does not contain spotted owl critical habitat.

10) Whether the action threatens a violation of environmental protection law or requirements. There is no indication that this decision will result in actions that will threaten a violation of any environmental laws.

V. CONCLUSION

Based on information in the EA and comments received from the public, it is my determination that this decision will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of effects addressed by the Environmental Impact Statements for the Medford District RMP (1995) and the Northwest Forest Plan or are otherwise not significant. Thus, the East Fork Illinois LMP does not constitute a major federal action having a significant effect on the human environment and an EIS is not necessary and will not be prepared.

This conclusion is based on my consideration of the CEQ's criteria for significance (40 CFR §1508.27), regarding context and intensity of the impacts described in the EA and on my understanding of the project. As noted above, the analysis of effects has been completed within the context of the Medford District RMP and it is consistent with that plan and the scope of effects anticipated from that plan. The analysis of effects has also occurred in the context of multiple spatial and temporal scales as appropriate for different types of impacts.

Abbie Jossie
Field Manager, Grants Pass Resource Area
Medford District, Bureau of Land Management

7-21-2010
Date